

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA
upon the relation and for the use of the
TENNESSEE VALLEY AUTHORITY,
Plaintiff,

v.

No. 3:21-cv-00249

0.005 ACRE OF LAND, MORE OR LESS,
AND CEMETERY, BURIAL AND
ACCESS RIGHTS WITH RESPECT
TO SIX TRACTS OF LAND
IN SUMNER COUNTY,
TENNESSEE, and
DORIS DOTTIE McCRARY,
JIM McCRARY,
NICK McCRARY,
BONNIE SUE McCRARY,
KRIS McCRARY,
TERRI ROSE McCRARY,
BRUCE KITTINGGER,
LAUREN McCRARY,
JAY STREB,
JAMIE STREB,
ETHAN LINDQUIST,
JAMES W. JUSTICE,
CAROLYN McCRARY,
PAM EVETTS,
MARK JUDKINS,
DEBORAH HEINS,
STEVEN STREB,
HEATHER McDANIEL,
JULIA D. JUSTICE,
HELEN McCRARY,
SHARON HANVY,
PERRY JUDKINS,
THOMAS HEINS,
TRISHA LINDQUIST,
ROBERT McDANIEL,
RON BARRETT,
HULAND IVY,
BRUCE JUDKINS,

RANDY JUDKINS,
KIMBERLY KROLICK,
JORDAN KROLICK,
CHRISTINE WELKER,
EMMA WELKER-MORRIS,
WANDA WELKER-TOMLIN,
CRYSTAL WELKER,
KAREN TANNER,
RONNIE McCRARY,
NICHOLAS DINOCOLA,
JESSIE WELKER,
RICKY WELKER,
JOSEPH H. WELKER,
ESTELLE E. McCRARY,
DEBBIE COLLIER McCRARY,
SHERRY McCRARY,
JULIE DINOCOLA,
BONNIE WELKER-CRADDOCK,
RONNIE WELKER,
ANGELA WELKER,
NORMAN TANNER,
JACKIE L. McCRARY,
LARRY McCRARY,
CHERYL JOHNSON,
BILLY ALLEN,
JUDY CAROL MORRIS,
BRENDA McCRARY,
RANDY McCRARY,
JOSHUA McCRARY,
BETTY LEWIS,
GUY McCRARY,
JOE WALKER McCRARY, JR.,
DAVID MORRIS,
SHIRELY ANN ESTES,
SANDY McCRARY,
AXL RHETT McCRARY,
THOMAS McCRARY,
PATRICIA McCRARY,
DONNA McCRARY,
MICHAEL D. McCRARY,
CYNTHIA McCRARY,
JACK McCRARY,
BO BRENTLEE SWARNER,
ROBERT McCRARY NO. 1,
ROBERT McCRARY NO. 2,
THOMAS BOND,
MARTHA BOGLE,

LORI BRYANT,
FRED POUNDERS,
CHARLES SPURLOCK,
MARY FOX,
MARIE McCRARY,
JULIE BOND,
TERESA McCRARY,
MICHAEL HARRISON,
STELLA DODSON,
KENNETH SPURLOCK,
BARBARA McCRARY,
WILMA McCRARY,
RACHEL McCRARY,
BRUCE BRYANT,
DEBBIE McCRARY,
CAROLYN JUNE HOPKINS,
LARRY SPURLOCK,
MITCH KNALL,
THELMA McCRARY,
MELISSA McCRARY,
AMELIA McCRARY,
HARLEY McCRARY,
TUCKER McCRARY,
JEANIE McCRARY,
MARK McCRARY,
NANCY McCRARY,
HARRY McCRARY,
DAKOTA McCRARY,
COLIN McCRARY,
VERA McCRARY,
CHARLES NOLEN,
KATHY LYNN EATON,
EDDIE McCRARY,
PAIGE McCRARY,
KAYSE McCRARY,
EDEN McCRARY,
DEBBIE GARTON,
YVONNE CUMMINGS McCRARY,
RACHEL McCRARY BROWN,
MIKE BROWN,
SANDY McCRARY,
MATT McCRARY,
LUKAS McCRARY,
LINDA DEESE,
JENNY McCRARY,
MONROVIA McCRARY,
ELIZABETH BROWN,

JASON McCRARY,
ALLISON McCRARY,
TYLER McCRARY,
COLORADO McCRARY,
DAVID McCRARY,
WILLIAM H. McCRARY, JR.,
CLAIRE BROWN,
AMANDA McCRARY,
ELLIOT McCRARY,
VIRGINIA EASTER-GOENS,
DAN McCRARY,
DAPHANIE McCRARY,
ANNE McCRARY,
NANCY DOVE,
JEAN "IMOGENE" CAGE,
JERRY BLUNKALL,
PEGGY BRIMM,
BUD CAGE,
DEBBIE DERRYBERRY,
JAMES BRIMM,
ROBERT ELLIS McCRARY,
MARIE BROWN,
HARVAE HEROD,
HORACE HEROD,
HAROLD K. HEROD, JR.,
HAROLD HEROD, SR.,
HATTIE B. WINCHESTER,
HENRY WINCHESTER,
LINDA SANDERS,
JAMES WINCHESTER,
ROSE HUDSON (HUTSON),
MONNIE LEWIS SCOTT,
AURELIA ECTON,
MICHAEL ECTON,
BETTY WINCHESTER,
GEORGIA WINCHESTER,
ANNETTA M. WINCHESTER,
GWENDOLYN HUDSON (HUTSON),
STEVE HUDSON (HUTSON),
KEITH ECTON,
PATRICIA ECTON,
SILVER SANDERS,
RANDY TURNER,
CHARLESETTA PATTON,
JOYCE SCOTT,
DONAL HUDSON (HUTSON),
DAWN ECTON,

MICHAEL ECTON, JR.,
PERRY ECTON,
JEREMIAH ECTON,
HAILEY ECTON,
DAVID BROWN, SR.,
ELIJAH BROWN,
SHAUNTA BROWN,
CARLOS RAMOS,
ALLISON ECTON,
PATRICK ECTON,
MIKAVEON ECTON,
RAYDELL BROWN,
TIMOTHY BROWN,
ALLISON BROWN,
AJA RAMOS,
CATHERINE ECTON,
PETER ECTON,
BARBARA BROWN,
DAVID BROWN, JR.,
KATHY BROWN,
VALENCIA BROWN RAMOS,
JOSHUA RAMOS,
BONNIE JENKINS,
CONNIE JENKINS,
VICTOR JENKINS,
FRANCIS ODOM,
EFFIE ODOM,
WALTER LEE ODOM,
WILLIAM T. REECE,
HENRY H. JENKINS,
ERIC JENKINS,
PATRICIA ODOM,
MATTIE ODOM,
TONY HANCOCK,
DARLENE WADE,
NEALE WADE, JR.,
SHARMAYNE JENKINS,
REGINALD JENKINS,
MARY ODOM,
JAMES ODOM,
MELVIN ALLEN ODOM,
LINDA WADE,
ROCKY WADE,
ALLEN HORTON,
TIERRA HORTON,
ANDRE ODOM,
STEPHANIE BUSH,

MARTHA SANDERS,
TENNIE E. FIGGINS,
FRANK D. FIGGINS, JR.,
LISA HORTON,
JAMES E. ODOM,
CAROLYN BUSH,
WILLIE BUSH,
JAMES SANDERS,
ROWENA L. FLOYD,
BETTY FIGGINS,
KAREN FIGGINS,
ANDREW HORTON,
THELMA ODOM,
TANYA BUSH,
JAMES SANDERS, JR.,
HATTIE MARIE FIGGINS,
EDDIE FIGGINS,
GROMYKO WEIR,
GROMYKO MARTIN WEIR,
CATHERINE FIGGINS,
APIRL DENISE DOWDY,
LARRY D. PARKER,
TERONDA S. HENDERSON,
WANDA J. PARKER,
CATERINA KAY LAWSON DILLAR,
MALCOM WEIR,
CHARLES E. PARKER, JR.,
WANDA PARKER,
RITA ROCHELLE PARKER,
JULIAN ANTUAN HENDERSON,
CHARLENE HUMPHREY LAWSON,
DARRELL ALLAN HOLMES,
MONTEL WEIR,
BRENDA PARKER JONES,
GWINNETT JONES,
CHARLESETTA L. PARKER BOWERS,
MORRIS BOLINE,
TRISTAN C. JONES,
LAQUINNIA LAWSON,
DEBORAH ANN WOODARD,
JACQUELINE D. WOODARD,
RALPH ANDERSON, JR.,
SHAWN L. SUTTON,
RANDIE KAY ANDERSON,
BRENDA DEAN ANDERSON,
DON WAYNE ANDERSON,
SHADONNA KAI ANDERSON,

EDWARD J. ANDERSON,
TOSHIBA M. ANDERSON,
TRAVIS RANDALL ANDERSON,
ANDREW N. JACKSON, JR.,
RICHARD CARR,
DONA LOUA ANDERSON ADKINS,
SHALANNA R. ANDERSON,
SHELIA ELAINE ANDERSON,
NICOLERA E. SUTTON,
CHERYL ANN TOMAN ANDERSON,
GRACE A. ANDERSON,
SHENNA A. ANDERSON,
TILLIS A. ADKINS,
MERCEDES GIBSON,
MARVIN LEE GIBSON, II,
NICHOLAS R. LONG,
LANDON L. LONG,
BISMILLAH RAHIM,
VICTOR LATRELL LONG,
VIVIAN LONG GAINES,
SAMAD LONG,
WAUNETTA B. ANDERSON,
LEONARD L. LONG,
STEVEN D. LONG,
MARY G. PRINCE LONG,
JUSTESA M. LONG JAMISON,
DENNIS M. LONG,
DEMETRIUS M. LONG,
ETHEL MAE ANDERSON LONG,
LEONARD L. LONG, JR.,
WAYNE L. LONG, JR.,
TERRY A. LONG,
TERRICA M. LONG,
NARDELL HAMILTON,
SAMINA N. LONG,
KENNETH L. LONG,
ERMA MARTHA PYATT ANDERSON,
CAROL ANN ANDERSON,
GARY ALLEN ANDERSON
CHARLESTON JACKSON,
GEORGE ALTON JACKSON,
RICHARD KEITH BROWN,
NICHOLAS R. LONG,
STEVEN RAY ANDERSON,
ANITA KAREN ANDERSON,
MILDRED R. ANDERSON,
JIMMIE JACKSON,

JOYCE M. JACKSON BROWN,
CHRISTOPHER BROWN,
KENNETH L. LONG, JR.,
JANET MARIE HERRMANN,
DALE GORDON ANDERSON,
ANN JACKSON,
ANDREW N. JACKSON, III,
JOHN BROWN, JR.,
MARCUS BROWN,
PATRICIA ELLISON,
RANDY BOYD,
LINDA BOYD,
JAMES BOBBS,
WILLIE MILLER,
KENNY MILLER,
DAVID L. MILLER,
WANNETTA RUSSELL,
TYRONE BOYD,
NORMA J. BOYD HILL,
WILLIE DAVID MILLER,
WILLIE MILLER, JR.,
CYNTHIA MILLER COTTON,
KELLI MILLER,
MICHAEL ANTHONY GLEN,
RONALD BOYD,
KIMBERLY BOYD BOBBS,
MICHAEL R. MILLER,
JOHNNY R. MILLER,
WILLETTE MILLER,
DIANA MILLER SIMPSON,
PHIL SIMPSON,
MARIA GARNETT,
GREGORY GARNETT,
WINNIFRED P. GARNETT,
MATTHEW GARNETT,
TAMMY GRAY,
EULA MAE GRANT,
KOSETTS L. GARNETT,
BRETT DUANE GARNETT, JR.,
LAWRENCE GARNETT,
ELDON EDWARD GARNETT,
HENRY A. JACKSON,
JULIE LOVE,
FREDDIE MAE PARKER WILLIAMS,
BRETT DUANNE GARNETT,
STEPHANIE R. GARNETT,
FLOYD E. "SKIP" GARNETT,

DEIRDRE SUZANNE GARNETT,
HENRY A. JACKSON, JR.,
TERESA PASKEL,
MELBA LOU PARKER JOSEPH,
JEANNE L. REDD,
SYLVIA VIOLA REDD SHELTON,
HAROLD RAY REDD,
RACHEL ULEASE REDD,
MICHAEL L. JOHNSON,
DEBRA ANN GENTRY,
PEARL A. PARKER,
LEROY REDD,
OLETHA IRENE REDD WALLACE,
TUSCON D. REDD,
RICHARD JOHNSON,
ALMETRA Y. JOHNSON WILLIAMS,
LARRY EUGENE GENTRY,
BETTY J. TUBBS FISHER,
JAMES HENRY REDD,
LENA RUTH REDD DAVIS,
TELLIA R. REDD,
JERRY LEE JOHNSON,
HAROLD E. GENTRY,
KENNETH L. PARKER,
KEITH TUBBS,
ELVIS L. TUBBS,
DORETHA TUBBS,
MARION TUBBS BEASY,
TOM LEE TUBBS, JR.,
AUGUSTA MAE TUBBS BEARD,
NILAR FAYE PARKER WILSON,
DOROTHY MAE PARKER REEVES,
LAURA ANN TUBBS,
WANDA TUBBS,
BUFORD N. TUBBS JR. III,
GERALDINE TUBBS GLOVER,
EVELYN JOANNE PARKER DILLARD,
OLEAMON A. WILSON,
PEARLENE V. PARKER STANFIELD,
CHERYL ANN TUBBS ROGERS,
LYLLIAN MARION TUBBS,
ETHEL LOUISE TUBBS TODD,
ELMER LEE TUBBS,
DONALD B. DILLARD,
GEORGE CHARLES PARKER,
JAMES WAYNE PARKER,
ROSETTA M. PARKER EALOM,

DEBRA LOUISE PARKER PROCTOR,
BOBBY FAYE CARTER WHITE,
J. BERNAND REDD, SR.,
JAMARCUS BUCHANAN,
CHARLES HOWARD REDD,
ALAN PARKER,
GARY MITCHELL PARKER,
EDITH CARTER,
FREDA WRIGHT REDD,
LEATHA BUCHANAN,
COURTNEY R. BUCHANAN,
CLIFFORD R. PARKER,
TEV CAULDWELL,
DAVID LEE PARKER,
SHARON RUTH CARTER STEELE,
JANICE REDD,
ADRIAN BUCHANAN,
RASHAWN BUCHANAN,
DENNIS PARKER,
EDGER N. TIPTON, JR.,
CHRISTIE A. CUE,
JAMES F. WALKER,
MARY L. HEROD,
HOMER BARR,
ANGELA WALKER,
JUANITA POLITE,
WILLIAM BARR,
JEFF KLEINDORFER,
UNKNOWN HEIRS OF ROBERT "ROBIN" MCCREARY,
UNKNOWN HEIRS OF MARY MASSEY MCCREARY,
UNKNOWN HEIRS OF PERSONS BURIED IN MCCREARY CEMETERY,
UNKNOWN HEIRS OF PERSONS BURIED IN FRANKLIN CEMETERY,
UNKNOWN HEIRS OF PERSONS BURIED IN UNKNOWN CEMETERY,
UNKNOWN HEIRS OF ROBERT BAILEY NO. 1,
UNKNOWN HEIRS OF PERSONS BURIED IN UNKNOWN NO. 10 CEMETERY,
UNKNOWN HEIRS OF MARY ABSTON NO. 1,
UNKNOWN HEIRS OF WILEY DOUGLAS,
UNKNOWN HEIRS OF MAND ODUM (ODOM),
UNKNOWN HEIRS OF MARY ABSTON NO. 2,
UNKNOWN HEIRS OF WILLIAM HENRY HARRIS,
UNKNOWN HEIRS OF LUCY PARKER,
UNKNOWN HEIRS OF MATTIE C. ABSTON,
UNKNOWN HEIRS OF JOHN B. HARRIS,
UNKNOWN HEIRS OF REBECCA PARKER,
UNKNOWN HEIRS OF DORA BABER,
UNKNOWN HEIRS OF OSCAR HARRIS,
UNKNOWN HEIRS OF WILLIAM ROBERT PAYNE,

UNKNOWN HEIRS OF SUSIE BAILEY,
UNKNOWN HEIRS OF EMMA HARRIS,
UNKNOWN HEIRS OF LAVENIA PAYNE,
UNKNOWN HEIRS OF ROBERT BAILEY NO. 2,
UNKNOWN HEIRS OF FLORANCE HEWSTEN,
UNKNOWN HEIRS OF MARTHA POLITE,
UNKNOWN HEIRS OF EMMER BROWN,
UNKNOWN HEIRS OF HENRY EDWARD HUDSON,
UNKNOWN HEIRS OF MARY POLITE,
UNKNOWN HEIRS OF BOBBIE DAZY BULLOCK,
UNKNOWN HEIRS OF JOSEPH HUDSON,
UNKNOWN HEIRS OF MARY RAINS,
UNKNOWN HEIRS OF EARL BULLOCK,
UNKNOWN HEIRS OF WILL HUDSON,
UNKNOWN HEIRS OF NANCY E. ROGAN,
UNKNOWN HEIRS OF SIMON BULLOCK,
UNKNOWN HEIRS OF EMMA HUDSON,
UNKNOWN HEIRS OF EMMA SANDERS,
UNKNOWN HEIRS OF MITCHELL BULLOCK,
UNKNOWN HEIRS OF ALBERT HUTSON (HUDSON),
UNKNOWN HEIRS OF CLARRIAH SANDERS,
UNKNOWN HEIRS OF ANNIE BUSH,
UNKNOWN HEIRS OF SWAIL JONES,
UNKNOWN HEIRS OF LOULER SMITH,
UNKNOWN HEIRS OF AMBROSE B. CLEAVLON,
UNKNOWN HEIRS OF MARGUERITE MORROW,
UNKNOWN HEIRS OF BILL WILLIAMS,
UNKNOWN HEIRS OF KATE BELL DOUGLASS,
UNKNOWN HEIRS OF ROBERT ODOM,
UNKNOWN HEIRS OF PERSONS BURIED IN ODOM/HUDSON CEMETERY,
UNKNOWN OWNERS,
Defendants.

ORDER OF POSSESSION

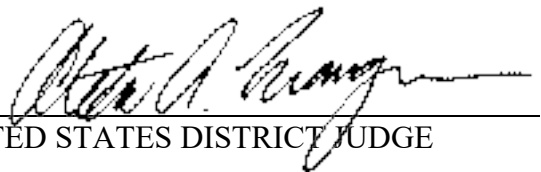
Upon the filing of a Declaration of Taking and the deposit of the estimated compensation to which the landowner is entitled for the taking, the lands are deemed to be condemned and taken for the use of the United States and the right to just compensation vests in the person entitled. 40 U.S.C. § 3114(b). The United States of America, by and through its agents, is entitled to immediate possession of property condemned by power of eminent domain.

United States v. Miller, 317 U.S. 369, 381 (1943). The statutory and constitutional authority

of the Tennessee Valley Authority (“TVA”) under the TVA Act, 16 U.S.C. § 831, as an agent of the United States, to construct electrical power generation facilities and a power system with transmission lines and circuits, and acquire by condemnation the property rights necessary for the construction and operation of the same, has long been established. *Ashwander v. Tennessee Valley Authority*, 297 U.S. 288 (1936); *United States ex rel. TVA v. Welch*, 327 U.S. 546 (1946); *United States ex rel. TVA v. Russell*, 87 F. Supp. 386 (E.D. Tenn. 1948); *United States ex rel. TVA v. An Easement & Right-of-Way Over 1.8 Acres of Land*, 682 F. Supp. 353 (M.D. Tenn. 1988).

In this case, Plaintiff has filed a proper Declaration of Taking (Doc. 2) and has placed with the Court an estimate of the just and liberal compensation to be afforded to Defendants for the taking (Docs. 2 & 6). Accordingly, Plaintiff TVA shall have and be put into immediate possession of the real property specifically described in Plaintiff’s Declaration of Taking to the extent necessary to allow, enable, and permit TVA to carry on and perform any of its operations described in the pleadings. Defendants are **ORDERED** to immediately comply with this Order and to surrender possession of said real property to TVA pending further order of the Court.

SO ORDERED this 8th day of April, 2021.


UNITED STATES DISTRICT JUDGE